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Attorneys for Plaintiffs
Merck Sharp & Dohme Corp., Cubist Pharmaceuticals LLC,
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and MSD International GmbH

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MERCK SHARP & DOHME CORP.,
CUBIST PHARMACEUTICALS LLC,
OPTIMER PHARMACEUTICALS LLC,
MSD INVESTMENT HOLDINGS
(IRELAND), and MSD INTERNATIONAL
GMBH,

Plaintiffs,

v.

ACTAVIS LABORATORIES FL, INC.,

Defendant.

Civil Action No. 15-6541 (CCC)(MF)
Civil Action No. 20-534 (CCC)(MF)
(consolidated)

(Filed Electronically)

NOTICE OF JOINT MOTION TO SEAL

PLEASE TAKE NOTICE that on May 3, 2021, or as soon thereafter as counsel may be heard, Plaintiffs Merck Sharp & Dohme Corp., Cubist Pharmaceuticals LLC, Optimer Pharmaceuticals LLC, MSD Investment Holdings (Ireland), and MSD International GmbH (collectively, "Plaintiffs") and Defendant Actavis Laboratories FL, Inc. ("Defendant") will move before the Honorable Mark Falk, U.S.M.J., at the United States Post Office & Courthouse, 1 Federal Square, Room 457, Newark, New Jersey, for the entry of an Order pursuant to Local

Civil Rule 5.3(c) sealing certain portions of (1) Plaintiffs' exhibits associated with Brief In Support of *Daubert* Motion to Exclude Expert Witnesses (D.I. 162); (2) Defendant's Brief in Opposition to Plaintiffs' *Daubert* Motion to Exclude Expert Witnesses and exhibits in support of same (D.I. 167); and (3) Plaintiffs' Reply in Support of *Daubert* Motion to Exclude Expert Witnesses and exhibits in support of same (D.I. 174).

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, Plaintiffs shall rely upon the accompanying declaration of Sarah A. Sullivan.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, Defendant shall rely upon the accompanying declaration of Liza M. Walsh.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith for the Court's consideration.

Dated: April 8, 2021

s/ Sarah A. Sullivan

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